

Retention and Classification Report

Agency: Department of Workforce Services. Legal Services (1466)

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Records Officer Amanda McPeck

84196	Board of Review docket
84069	Civil and criminal litigation files
84062	Court of Appeals/Supreme Court case files
84192	Legal opinions
84070	Supreme Court and Court of Appeals briefs
84066	Supreme Court and Court of Appeals decisions
84061	Workforce Appeals Board case files

AGENCY: Department of Workforce Services. Legal Services

SERIES: 84196

1

TITLE: Board of Review docket

DATES: 1949-

ARRANGEMENT: Chronological, thereunder numerical by case number

DESCRIPTION:

This series documents cases heard by Employment Security's Board of Review. Information includes the name, case, and social security number of the claimant, the name of the employer if applicable to claimant's case, the employer name and identification number in contribution/tax cases, the date and decision of the Appeals Referee, date of appeal to the Board of Review, issue before the Board, date reviewed by the Board, which board reviewed the case, decision date and determination of the Board of Review.

RETENTION:

Retain 1 year

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is proposed and has not yet been approved.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Computer magnetic storage media: Retain in Office for 1 year and then erase.

Paper: For records prior to and including 1986. Retain in Office for 1 year and then destroy.

Computer data files: For records beginning in 1987 and continuing to the present. Retain in Office for 1 year and then delete.

AGENCY: Department of Workforce Services. Legal Services

SERIES: 84196

TITLE: Board of Review docket

(continued)

APPRAISAL:

Administrative Historical

This disposition is based on the historical value of the record series to document unemployment insurance claims. This record is maintained on paper prior to 1986. After 1986, docket information is retained in computer format.

PRIMARY CLASSIFICATION:

Private

AGENCY: Department of Workforce Services. Legal Services

SERIES: 84069

3

TITLE: Civil and criminal litigation files

DATES: 1963-

ARRANGEMENT: Alphabetical by appellant surname

ANNUAL ACCUMULATION: 0.50 cubic feet.

DESCRIPTION:

This record documents civil and criminal litigation cases involving Employment Security. It contains all correspondence, forms, findings of fact, preliminary and appeal decisions, and any other forms, paperwork, etc. pertaining to the case. This record is used for reference on similar cases.

RETENTION:

Retain 10 years

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 07/2001

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 7 years after case is closed and then transfer to State Records Center. Retain in State Records Center for 3 years and then destroy.

APPRAISAL:

Administrative Legal

AGENCY: Department of Workforce Services. Legal Services

SERIES: 84069

TITLE: Civil and criminal litigation files

(continued)

PRIMARY CLASSIFICATION:

Public	Those portions of Employment Security's records used as court evidence are public when a decision is rendered.
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SECONDARY CLASSIFICATION(S):

Private.	All background information contained in Employment Security's records retains its private status unless used by the Court as evidence.
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Controlled.	psychiatric information
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AGENCY: Department of Workforce Services. Legal Services

SERIES: 84062

3

TITLE: Court of Appeals/Supreme Court case files

DATES: i 1940-

ARRANGEMENT: Alphabetical by appellant surname

ANNUAL ACCUMULATION:

DESCRIPTION:

This record documents the processes of the Supreme Court and Court of Appeals for unemployment insurance compensation cases appealed beyond the Board of Review decision. It contains all documents compiled for any of the previous appeal levels and any paper work compiled after appeal including any motions, certifications, and decisions of the Court. These case files are the original court records used to document findings of the Supreme Court and the Court of Appeals. They are used for reference purposes on similar cases.

RETENTION:

Retain 20 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 07/2001

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 19 years and then destroy.

AGENCY: Department of Workforce Services. Legal Services

SERIES: 84062

TITLE: Court of Appeals/Supreme Court case files

(continued)

APPRAISAL:

Administrative

PRIMARY CLASSIFICATION:

Public	Unemployment insurance information is public only when used as court room evidence. When a decision is rendered, the information returns to private classification status.
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SECONDARY CLASSIFICATION(S):

Private.	Unemployment insurance information is private except those portions necessary for court room evidence. When a decision is rendered, information is again private.
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AGENCY: Department of Workforce Services. Legal Services

SERIES: 84192

3

TITLE: Legal opinions

DATES: 1943-

ARRANGEMENT: By legal issue, thereunder chronological

ANNUAL ACCUMULATION:

DESCRIPTION:

This record documents legal interpretations of the law on various Utah Employment Security problems and issues. It is maintained for reference purposes in similiar cases.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule SG 1, Item 5.

AUTHORIZED: 05/14/2001

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until administrative need ends and then destroy.

APPRAISAL:

Administrative

PRIMARY CLASSIFICATION:

Public

AGENCY: Department of Workforce Services. Legal Services

SERIES: 84070

3

TITLE: Supreme Court and Court of Appeals briefs

DATES: 1939-

ARRANGEMENT: Alphabetical by appellant surname

ANNUAL ACCUMULATION: 0.10 cubic feet.

DESCRIPTION:

This series records the briefs filed by appellants and respondent (Utah Department of Employment Security Review) on unemployment compensation cases appealed to the Supreme Court and the Court of Appeals. These can be either benefit cases involving a claimant and/or employer. These are used for reference purposes on similar cases.

RETENTION:

Retain 20 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 07/2001

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 10 years and then transfer to State Records Center. Retain in State Records Center for 10 years and then destroy.

APPRAISAL:

Administrative

AGENCY: Department of Workforce Services. Legal Services

SERIES: 84070

TITLE: Supreme Court and Court of Appeals briefs

(continued)

PRIMARY CLASSIFICATION:

Public

SECONDARY CLASSIFICATION(S):

Controlled. psychiatric information

AGENCY: Department of Workforce Services. Legal Services

SERIES: 84066

3

TITLE: Supreme Court and Court of Appeals decisions

DATES: 1949-

ARRANGEMENT: Alphabetical by petitioner surname

ANNUAL ACCUMULATION: 0.10 cubic feet.

DESCRIPTION:

This series documents decisions rendered by both the Utah Supreme Court and, after 1986 (there was no district Court of Appeals for Utah prior to 1986), the Court of Appeals, on cases appealed from Employment Security's Board of Review. These decisions are filed together for better reference, e.g., when reviewing decisions, Employment Security's legal staff is interested in the decisions of both courts if the cases were appealed beyond the Court of Appeals. Information includes a copy of the decision, name of claimant, case number, etc.

RETENTION:

Retain permanently.

DISPOSITION:

Retain in agency custody.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 07/2001

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently.

AGENCY: Department of Workforce Services. Legal Services

SERIES: 84066

TITLE: Supreme Court and Court of Appeals decisions

(continued)

APPRAISAL:

Administrative Historical

This disposition is based on the historical value of this record series to document appeals to the Supreme Court.

PRIMARY CLASSIFICATION:

Public

SECONDARY CLASSIFICATION(S):

Private. medical information, financial information, religious preference, etc.

Controlled. psychiatric information

AGENCY: Department of Workforce Services. Legal Services

SERIES: 84061

3

TITLE: Workforce Appeals Board case files

DATES: i 1968-

ARRANGEMENT: Numerical by case number.

ANNUAL ACCUMULATION: 18.00 cubic feet.

DESCRIPTION:

These case files document the Workforce Appeals Board appeals process. Unemployment compensation claimants or employers paying unemployment taxes may appeal their cases beyond the Appeals Referee to the board. It contains all documentation compiled before the board appeal takes place. Included are the initial eligibility determinations of claimants, liabilities of employers, briefs, facts and findings, correspondence, Appeals Referee decisions, etc., as well as transcripts of the Workforce Appeals Board hearings and copies of the decisions rendered by that body.

RETENTION:

Retain 10 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 04/2003

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 18 months and then transfer to State Records Center. Retain in State Records Center for 102 months and then destroy.

Microfilm master: For records beginning in 1968 through 1985. Retain in Office for 10 years and then destroy.

AGENCY: Department of Workforce Services. Legal Services

SERIES: 84061

TITLE: Workforce Appeals Board case files

(continued)

APPRAISAL:

Administrative Fiscal Legal

These records document appeals, appeal responses, and board decisions and have evidentiary value. They also have fiscal value as they track problems with unemployment insurance tax payments.

PRIMARY CLASSIFICATION:

Private 63G-2-302(1) a,b,f, and g; (2) a,b, and d.